

## **REMARKS**

### ***Remaining Claims***

Claims 1 and 5 are pending in this application through this Response and are currently amended. Applicant respectfully requests reconsideration in light of the remarks below. No new matter has been added, as support for the claim amendments can be found throughout Applicant's disclosure. Entry of the amendment is believed proper under 37 C.F.R. §1.116(b) as placing the case in condition for allowance or, alternatively, as placing the case in better form for appeal.

### ***Rejection of Claims 1 and 5 under 35 U.S.C. §112, second paragraph***

Claims 1 and 5 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Applicant respectfully traverses this rejection. Nevertheless, to advance prosecution, Applicant has amended claim 1 to delete the mosaic feature. Accordingly, Applicant respectfully submits any potential §112 issue is overcome and requests that the Examiner withdraw this rejection.

### ***Rejection of Claim 1 under 35 U.S.C. §102(b)***

Claim 1 stands rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,816,302 to *Shaw et al.* Applicant respectfully traverses this rejection. Nevertheless, to advance prosecution, Applicant has amended independent claim 1 to clarify the claimed invention.

As amended, claim 1 recites,

An article of camouflage for camouflaging a hunter or hunter's equipment and comprising a camouflage pattern, wherein said camouflage pattern comprises a plurality of images derived from a moth or a butterfly, wherein said plurality of images consist of images of only the wings of said moth or butterfly, and wherein the plurality of images cover a substantial portion of the article.

By stark contrast, *Shaw* discloses a decorative wall hanging comprised of a plurality of puzzle pieces. Clearly, this decorative wall hanging is not an article of

camouflage for camouflaging a hunter or hunter's equipment. When assembled, the puzzle pieces display images of multiple butterflies, including the bodies and wings. This is certainly contrary to what is claimed, as the claim recites that the "plurality of images consist of images of only the wings of said moth or butterfly." For at least these reasons, claim 1 is not anticipated by *Shaw*. Accordingly, Applicant respectfully requests that the rejection of claim 1 be withdrawn.

***Rejection of Claim 5 under 35 U.S.C. §103(a)***

Claim 5 stands rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of U.S. Patent No. 4,816,302 to *Shaw et al.* and U.S. Patent No. 6,342,290 to *Conk*. Applicant respectfully traverses this rejection.

For at least the reason that claim 5 incorporates the limitations of independent claim 1, this dependent claim is patentable over the art of record for at least the reasons set forth above with respect to claim 1. Accordingly, Applicant respectfully requests that the rejection of claim 5 also be withdrawn.

**CONCLUSION**

In view of the foregoing, the Applicant believes entry of this Amendment is proper under 37 C.F.R. § 1.116(b) as placing the application in condition for allowance or, alternatively, in better form for consideration on appeal. The Applicant respectfully requests reconsideration and withdrawal of the remaining rejections in view of the above and allowance of the application. Should there be any further questions or concerns, the Examiner is urged to telephone the undersigned.

Respectfully submitted,  
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